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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/980,130	11/28/2001	Tetsujiro Kondo	450106-03095	8078
20999	7590	04/26/2005	EXAMINER	
FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			KIM, CHONG R	
			ART UNIT	PAPER NUMBER
			2623	

DATE MAILED: 04/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/980,130

Applicant(s)

KONDO ET AL.

Examiner

Charles Kim

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) 11-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,6-10 and 15 is/are rejected.
- 7) ☒ Claim(s) 2-5 and 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/28/01
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Election/Restriction Requirement

1. Applicant's election without traverse of Species A, claims 1-10, 14, 15, in the reply filed on November 15, 2004 is acknowledged.
2. Claims 11-13 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim.

Specification

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 6, 7, 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Kondo et al., Japanese Patent Publication No. 10-056622 ("Kondo").

Referring to claim 1, Kondo discloses an information processing apparatus comprising:

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- a. a plurality of classifying adaptive processing circuits (44, 46, 48) for performing a classifying adaptive process for an input information signal (paragraphs 53-54 and figure 7); and
- b. a switching circuit (42) for switching a connection relation among the plurality of classifying adaptive processing circuits (paragraphs 53-54 and figure 7).

Referring to claim 6, Kondo further discloses that the input information signals are output through the plurality of classifying adaptive processing circuits (figure 7).

Referring to claim 7, Kondo further discloses a pre-processing circuit (43, 45, 47) for performing a predetermined process for the input information signal and switching the predetermined process as the connection relation is switched, wherein an output of the pre-processing circuit is input to the corresponding one of the plurality of classifying adaptive processing circuits (paragraphs 53-54 and figure 7).

Referring to claim 9, Kondo further discloses that the information signals are picture data composed of pixel information, and wherein one of the plurality of classifying adaptive processing circuits is configured for performing the classifying adaptive process based on the pixel information of the corresponding input information signal and predicting pixel information that has to be present between the pixel information of the input information signal and pixel information adjacent thereto so as to improve the resolution of the picture data (paragraphs 23-24 and paragraphs 52-54).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Kondo et al., Japanese Patent Publication No. 10-056622 ("Kondo") and Taubman, U.S. Patent No. 6,122,017 ("Taubman").

Referring to claim 8, Kondo does not explicitly disclose a post-processing circuit for performing a predetermined process for the corresponding input information signal and switching the predetermined process as the connection relation is switched.

Taubman discloses a post-processing circuit for performing a predetermined process for an input information signal [abstract. Note that the post-processing is performed immediately after the image interpolation process, see figure 11].

Kondo and Taubman are combinable because they are both concerned with image interpolation systems. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify the imaging system of Kondo to include the post-processing circuit of Taubman. The suggestion/motivation for doing so would have been to further enhance the interpolated image (Taubman, abstract). Therefore, it would have been obvious to combine Kondo with Taubman to obtain the invention as specified in claim 8. Note that the combination of Kondo and Taubman disclose an imaging system that comprises a post-processing circuit (of Taubman) connected to each of the outputs of the classifying adaptive processing circuits (of Kondo), since the post-processing is performed immediately after the interpolation process, as noted above. Furthermore, Kondo explains that the switching circuit selects the output of one of

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the classifying adaptive process circuits (paragraphs 53-54 and figure 7), thereby selecting one of the post-processing circuits connected thereto. Accordingly, the predetermined process performed by the post-processing circuit is switched as the connection relation is switched by the switching circuit.

6. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Kondo et al., Japanese Patent Publication No. 10-056622 ("Kondo") and Nakaya et al., Japanese Patent Publication No. 09-055962 ("Nakaya").

Referring to claim 10, Kondo further discloses that the information signals are picture data composed of pixel information (paragraph 2), but does not explicitly disclose that one of the plurality of classifying adaptive process circuits is configured for performing the classifying adaptive process for the corresponding input information signal using a prepared left eye and right eye coefficient and predicting pixel information of left-eye and right-eye picture data. However, these features were exceedingly well known in the art. For example, Nakaya discloses a classifying adaptive process circuit that is configured for performing a classifying adaptive process for an input information signal using a prepared left eye coefficient and predicting pixel information of left-eye picture data and for performing a classifying adaptive process for the input information signal using a prepared right-eye coefficient and predicting pixel information of right-eye picture data so as to generate stereo picture data with the left-eye picture data and the right-eye picture data (paragraphs 14-18 and figure 1).

Kondo and Nakaya are combinable because they are both concerned with adaptive classification image processing systems. At the time of the invention, it would have been

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obvious to a person of ordinary skill in the art to modify the classifying adaptive process circuit of Kondo in view of Nakaya. The suggestion/motivation for doing so would have been to enhance the flexibility of the imaging system. Therefore, it would have been obvious to combine Kondo with Nakaya to obtain the invention as specified in claim 10.

7. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Kondo et al., Japanese Patent Publication No. 10-056622 ("Kondo") and Wang et al., U.S. Patent No. 6,625,333 ("Wang").

Referring to claim 15, Kondo further discloses that the information signals are picture data composed of pixel information (paragraph 2), but does not explicitly disclose that one of the classifying adaptive processing circuits is configured to generate picture data of frames chronologically preceded and followed by a frame of the input information signal. However, this feature was exceedingly well known in the art. For example, Wang discloses an image processing circuit for generating picture data of frames chronologically preceded and followed by an image frame of an input information signal (col. 2, line 39-col. 3, line 54).

Kondo and Wang are combinable because they are both concerned with adaptive interpolation image processing systems. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify the classifying adaptive process circuit of Kondo so that it generates picture data of frames chronologically preceded and followed by a frame of the input information signal, as taught by Wang. The suggestion/motivation for doing so would have been to enhance the flexibility of the interpolation process. Therefore, it would

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have been obvious to combine Kondo with Wang to obtain the invention as specified in claim 15.

Allowable Subject Matter

8. Claims 2-5, 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Kim whose telephone number is 571-272-7421. The examiner can normally be reached on Mon thru Thurs 8:30am to 6pm and alternating Fri 9:30am to 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au can be reached on 571-272-7414. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished


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applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

cu

ck

April 120, 2005


Jon Chang
Primary Examiner